



MAIL STOP PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Holder et al. **RECEIVED**  
AUG 19 2004  
Serial No.: 09/863,098 **OFFICE OF PETITIONS**  
Filing Date: May 22, 2001  
Title: METHOD FOR IMPLEMENTING AND ORGANIZING AN AD-HOC AVIATION DATA COMMUNICATION NETWORK

Attorney Docket No. 543-00-009  
(HOOO-1-1050)  
Group Art Unit: 2661  
Examiner: --

TRANSMITTAL LETTER FOR RESPONSE TO DECISION ON PETITION

Enclosed with this transmittal letter are the following papers:

1. Response to Decision on Petition.
2. Two Return postcards (one for Honeywell and one for BLG).

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>

Michael S. Smith  
Registration No. 39,563  
Direct Dial: 206.749.9888

MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via First Class Mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP PETITIONS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

8/12/04  
Date of Deposit

  
Michelle L. Carman

25315  
CUSTOMER NUMBER

- 1 -

HOOO-1-1050 TL03

BLACK LOWE & GRAHAM<sup>PLLC</sup>  
701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206.381.3300 • F: 206.381.3301



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE #11

Applicant: Holder et al.

RECEIVED

Attorney Docket No. 543-00-009  
(HOOO-1-1050)

Serial No.: 09/863,098

AUG 19 2004

Group Art Unit: 2661

Filing Date: May 22, 2001

OFFICE OF PETITIONS

Examiner: --

Title: METHOD FOR IMPLEMENTING AND ORGANIZING AN AD-HOC AVIATION  
DATA COMMUNICATION NETWORK

## RESPONSE TO DECISION ON THE PETITION

TO THE COMMISSIONER OF PATENTS:

## REMARKS

Applicant hereby responds to the decision of dismissal of the Petition to Revive Due to Unavoidable Delay. The dismissal of the petition indicated that the application file at the Patent Office did not include an executed declaration. Applicant respectfully traverses this dismissal.

Applicant hereby submits a copy of the postcard that was mailed on September 4, 2001 with the response to Notice to File Missing Parts of Application. The postcard indicates that the response to Missing Parts included an oath or declaration. A copy of the oath or declaration that was filed with the postcard is included in this response. The Office of Initial Patent Examination (OIPE) stamped the postcard on September 10, 2001 indicating that they received all the contents of the package attached to the postcard. Therefore, Applicant submits that even though the file in the Patent Office does not include the oath or declaration, an oath or declaration was received by the United States Patent and Trademark Office and confirmed by OIPE.

Therefore, Applicant submits that a proper response was made to the response to File Missing Parts and therefore the application should be removed from abandonment and allowed to proceed through prosecution.

Adjustment date: 09/13/2004 AKELLEY  
05/26/2004 EFLORES 00000097 09863098  
01 FC:1452 -110.00 OP

128

CUSTOMER NUMBER

Repln. Ref: 09/13/2004 AKELLEY 00000097 09863098  
DOI: 011125 Name/Number: 09863098  
FC: 9204 \$110.00 OP

-1-

HOOO-1-1050 RDP

BLACK LOWE & GRAHAM <sup>PLC</sup>

701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206.381.3300 • F: 206.381.3301

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



Michael S. Smith

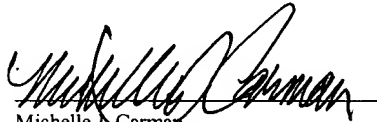
Registration No. 39,563

Direct Dial: 206.749.9888

**MAIL CERTIFICATE**

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP PETITIONS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

8/12/04  
Date of Deposit

  
Michelle J. Carman


128

CUSTOMER NUMBER

- 2 -

H000-1-1050 RDP

BLACK LOWE & GRAHAM<sup>PLLC</sup>



701 Fifth Avenue, Suite 4800  
Seattle, Washington 98104  
206.381.3300 • F: 206.381.3301



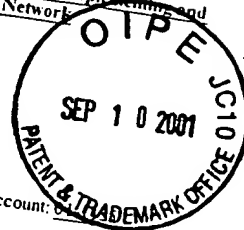
Attorney Docket: 543-00-009 Re: Patent Application papers of HOLDER et al.  
Filed On: May 22, 2001 Mail Date: 09/04/2001  
Title: Method, Apparatus and Computer Program Product For Implementing and  
Organizing an AD-HOC Aviation Data Communication Network

RE: Response to Missing Parts & Correction Request

Oath & Declaration  
Recordation

Request for Correct Filing Receipt

FEE: \$170.00



Charge Deposit Account: \_\_\_\_\_

Assistant Commissioner for Patents - Resp. to Missing Parts  
Please acknowledge the receipt of the above by applying the Official Patent Office date  
stamp on this card and mailing it. Sincerely, Honeywell International Inc.

*Please itemize costs.*

*e.g. 130  
40*

*Thanks*

*R.*

RECEIVED  
SEP 11 2001  
RAYMOND  
LAW DEPT.

*By  
9/10/01*

# SOLE OR JOINT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention titled:

## Method, Apparatus and Computer Program Product for Implementing and Organizing an AD-HOC Aviation Data Communication Network

the specification of which is attached hereto.

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS.

I ACKNOWLEDGE THE DUTY TO DISCLOSE INFORMATION WHICH IS MATERIAL TO THE EXAMINATION OF THIS APPLICATION IN ACCORDANCE WITH TITLE 37, CODE OF FEDERAL REGULATIONS, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### Prior Foreign Application(s)

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications listed below and, INsofar as the SUBJECT MATTER OF EACH OF THE CLAIMS OF THIS APPLICATION IS NOT DISCLOSED IN THE PRIOR UNITED STATES APPLICATION IN THE MANNER PROVIDED BY THE FIRST PARAGRAPH OF TITLE 35, UNITED STATES CODE, §112, I ACKNOWLEDGE THE DUTY TO DISCLOSE MATERIAL INFORMATION AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, §1.56(a) WHICH OCCURRED BETWEEN THE FILING DATE OF THE PRIOR APPLICATION AND THE NATIONAL OR PCT INTERNATIONAL FILING DATE OF THIS APPLICATION:

09/363,098	May 22, 2001	Pending
(Application Serial Number)	(Filing Date)	(STATUS: Patented, Pending, Abandoned)
60/206,022	May 22, 2000	Abandoned
(Application Serial Number)	(Filing Date)	(STATUS: Patented, Pending, Abandoned)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected herewith (List name and registration number).

(LIST SENIOR PATENT COUNSEL AND ATTORNEY HANDLING CASE WITH PATENT OFFICE REGISTRATION NUMBERS.)

Eric G. Halsne	Loria Yeadon	Robert Desmond
Name	Name	Name
46,753	35,063	38,430
Registration Number	Registration Number	Registration Number
John Donofrio	Larry Palguta	
Name	Name	Name
32,339	29,575	
Registration Number	Registration Number	Registration Number

SEND CORRESPONDENCE TO:

Eric G. Halsne  
Honeywell International Inc.  
P.O. Box 2245, 101 Columbia Road  
Morristown, New Jersey 07962

DIRECT TELEPHONE CALLS TO:

Eric G. Halsne (425) 376-2107

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Michael D. Holder

INVENTOR'S SIGNATURE *Michael D. Holder*

Date Sept 4, 2001

RESIDENCE 22117 NE 80th Street, Redmond, WA 98053

CITIZENSHIP US

POST OFFICE ADDRESS Same

FULL NAME OF SECOND JOINT INVENTOR Willard R. True

INVENTOR'S SIGNATURE *Willard R. True*

Date SEP 4 2001

RESIDENCE 13822 93rd NE, Kirkland, WA 98034

CITIZENSHIP US

POST OFFICE ADDRESS Same

FULL NAME OF THIRD JOINT INVENTOR \_\_\_\_\_

INVENTOR'S SIGNATURE \_\_\_\_\_

Date \_\_\_\_\_

RESIDENCE \_\_\_\_\_

CITIZENSHIP \_\_\_\_\_

POST OFFICE ADDRESS \_\_\_\_\_

FULL NAME OF FOURTH JOINT INVENTOR \_\_\_\_\_

INVENTOR'S SIGNATURE \_\_\_\_\_

Date \_\_\_\_\_

RESIDENCE \_\_\_\_\_

CITIZENSHIP \_\_\_\_\_

POST OFFICE ADDRESS \_\_\_\_\_

FULL NAME OF FIFTH JOINT INVENTOR \_\_\_\_\_

INVENTOR'S SIGNATURE \_\_\_\_\_

Date \_\_\_\_\_

RESIDENCE \_\_\_\_\_

CITIZENSHIP \_\_\_\_\_

POST OFFICE ADDRESS \_\_\_\_\_